

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF ILLINOIS

CORTEZ BROWN, #19294,

Plaintiff,

vs.

Civ. Action No. 21-cv-00138-JPG

RICHARD WATSON, TRINITY SERVICE
GROUP, AND DAVID MARCOWITZ

Defendant.

DEFENDANT TRINITY SERVICES GROUP, INC.'S MOTION FOR SUMMARY JUDGMENT

COMES NOW Defendant TRINITY SERVICES GROUP, INC. (hereinafter "Trinity"), and hereby submits the following Motion for Summary Judgment pursuant to Federal Rule of Civil Procedure 56 and Local Rule 56(a)(1).

1. Plaintiff initiated the instant 42 U.S.C. §1983 lawsuit on January 25, 2021.
2. Plaintiff claims that his constitutional rights were infringed by Trinity and Sheriff Watson's policy to allow electronic cigarettes at the St. Clair County Jail.
3. Summary judgment should be granted if the depositions, affidavits, and other "materials in the record" show "there is no genuine dispute as to any material fact." FED. R. CIV. P. 56(c)(1). A "material fact" is one that affects "the outcome of the suit." *Anderson v. Liberty Lobby, Inc.*, 447 U.S. 242, 248 (1986). An issue of material fact exists only if "the evidence is such that a reasonable jury could return a verdict for the non-moving party." *Id.*

4. Plaintiff has failed to adduce admissible evidence that could cause a reasonable jury to find in his favor on his claims against Trinity.

5. In support of its Motion for Summary Judgment, Trinity files concurrently herewith its statement of Uncontroverted Material Facts and its Memorandum of Law in Support of its Motion for Summary Judgment.

WHEREFORE Defendant, Trinity Services Group, Inc., prays that Plaintiff's claims against them be dismissed; that summary judgment be entered in their favor; and for such other and further relief as the Court deems just and proper.

Respectfully submitted,

/s/ Alexander B. Chosid
Alexander B. Chosid
TKC Holdings, Inc.
1260 Andes Boulevard
St. Louis, MO 63132
Tel: (314) 216-2218
Fax: (314) 213-1190
Alex.Chosid@TKCHoldings.com

*Attorney for Defendant
Trinity Services Group, Inc.*

CERTIFICATE OF SERVICE

I, Alexander B. Chosid, hereby certify that on this **27th day of October, 2023**, a true and accurate copy of the foregoing was electronically transmitted to the Clerk of the Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to all counsel who have entered an appearance to date.

I also certify that a true and accurate copy of the foregoing was served via Federal Express, postage prepaid, upon the following:

Cortez Brown, #05103-025
USP Thomson
P.O. Box 1002
Thomson, IL 61285

/s/ Alexander B. Chosid
Alexander B. Chosid